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Henry Waxman: Governed by tikkun olam

The retiring Congressman found inspiration in Jewish values as he looked out for the underdog

by Jonah Lowenfeld
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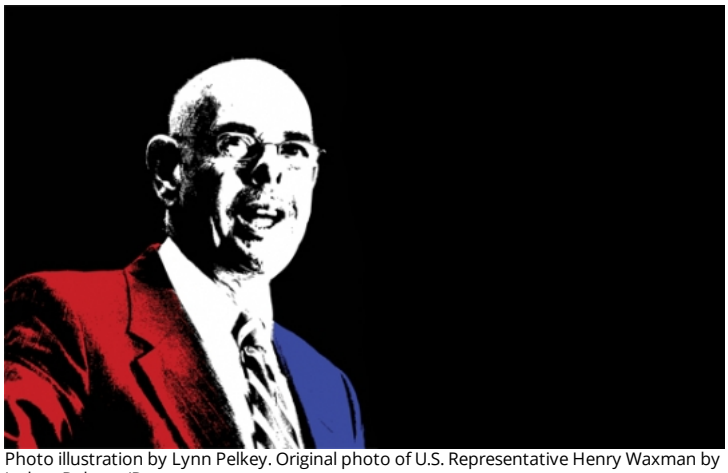

Photo illustration by Lynn Pelkey. Original photo of U.S. Representative Henry Waxman by Joshua Roberts/Reuters

The rain during Noah's flood lasted 40 days and 40 nights. The Torah was given to Moses during a 40-day stay at the top of Mount Sinai. The Israelites wandered for 40 years in the desert.

And so it seems fitting that Rep. Henry Waxman (D – Beverly Hills), who announced last week that he will retire from Congress when his term ends this year, will have served exactly 40 years in the people's chamber.

"People are shocked that I could ever leave," Waxman said on Jan. 31, the day after he made his announcement. "Then they hear that I've been here for 40 years and are shocked at how old I am."

Waxman turns 75 in September. During his 20 terms in the House of Representatives, he has authored some of the most ambitious pieces of legislation passed by Congress during that time, including laws making pharmaceutical products more affordable, improving air and water quality and expanding access to affordable health care. He presided over hearings confronting the tobacco industry's claim that smoking would not harm people, the use of steroids in baseball and the regulation of conditions in America's nursing homes.

With a record like that, it's not surprising that Waxman, the "dean of the Jewish caucus," describes his political philosophy as an outgrowth of the principle of *tikkun olam*, trying to perfect the world.

"We shouldn't expect to complete it — even after 40 years — we shouldn't try," Waxman said. "But we should always remember the

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stranger and the disadvantaged, the people who need help; that's in our tradition, [in] so many different places, and it's a reminder that we've got to try to be a more just and fair society."

But even as he took a rare moment to look back on his career, others are moving forward: With just a few months until California holds its now-nonpartisan primary elections, and immediately following Waxman's announcement, a scrum of Democrats and independents immediately began clamoring to take Waxman's place (see sidebar). Furthermore, at some point during the coming year, Waxman will likely identify what he'll do with the next chapter of his career. For now, he's said he'd like to continue working on issues he's dealt with in Congress, and, as he told the Journal, he wants to continue to divide his time between Washington, D.C., and Los Angeles, the latter being the place where he was born, grew up and still calls home.

"The wealthy and the powerful always have strong advocates in Washington"

Born in Boyle Heights, Waxman grew up in South Central Los Angeles, where his family owned a grocery store on Compton Avenue. His father had to quit high school when the Great Depression hit, but he instilled in Henry an appreciation for education as the key to success.

"I was able to go to public schools, all the way through law school," said Waxman, who earned both undergraduate and law degrees from UCLA. That instilled in him a lifelong commitment to public education.

Similarly, Waxman's involvement in politics began at an early age.

"In 1952, we got on a bus from Democratic headquarters and we went to a rally for Adlai Stevenson at Gilmore field," said Sandy Weiner, who first met Waxman in the 7th grade at Thomas Alva Edison Junior High School. Later, Waxman, who had co-founded (with future Congressman Howard Berman) the UCLA chapter of Young Democrats, encouraged Weiner to set up another chapter at Claremont College.

The Young Democrats' movement, Weiner said, helped Waxman advance to his first political office, a seat in the California State Assembly, which he won in 1968, by defeating 28-year veteran Assemblyman Lester McMillan in the Democratic primary.

"It was really a major grassroots effort," Weiner said, describing a campaign that succeeded thanks to volunteers walking precincts and making phone calls as well as to political consultant Michael Berman's then-new practice of sending carefully calibrated mailers to specific subsets of the electorate. "A lot of the dollars were from friends and family, and it was an exciting campaign," Weiner recalled.

Waxman moved from Sacramento to Washington six years later, where he remained committed to speaking up for society's most marginalized members.

"The wealthy and the powerful always have strong advocates in Washington, but my job was to stand up for the poor, the sick the elderly, for those people who had nobody else to speak for them," Waxman said. "If I hadn't held hearings on the AIDS epidemic, before we even knew the word AIDS — we had an administration where President Reagan didn't even want to say the word 'AIDS'; they were just shunted aside."

Waxman's upbringing clearly helped form his orientation toward crafting legislation to help the poor and disadvantaged, as did his strong Jewish identity.

South Central was not home to many Jewish families, so Waxman's family attended the synagogue closest to their home, the Huntington Park Hebrew Congregation, a community that has since dissolved. Though he attended Hebrew school and became a bar mitzvah in his youth, Waxman has said that he only truly began to investigate Jewish

religious practice as an adult.

"Ethics is at Judaism's core," Waxman said in a speech at USC in 2006. "God's primary concern is not that we mindlessly follow ritual, but act decently. Ritual is to help us do that."

"All those years, it didn't make any difference."

Although Waxman remained primarily focused on domestic policy matters, particularly relating to health, the environment and consumer telecommunications, he also worked throughout his career to strengthen the U.S.-Israel relationship.

"I've been to Israel so many times, I've lost count," Waxman, whose daughter lives in Israel, said, although when he was first elected to Congress in 1975, he had never visited the Jewish state. Just one month after taking office, Waxman joined a Congressional delegation to the Middle East, an itinerary that included Israel, Egypt, Saudi Arabia and Iran. To obtain a visa to enter Saudi Arabia, Waxman had to first identify his religion and then provide evidence that he was, in fact, Jewish. Waxman obtained a letter from Adas Israel Congregation, the Conservative synagogue in D.C. where he is a member, and sent it to the Saudis, at which point his visa application was denied as a matter of policy.

It took some work by the State Department, but Waxman made it into Saudi Arabia along with the other representatives. There, he met King Faisal.

"I asked him two questions," Waxman recalled. "Did he ever foresee living with Israel in the Middle East, if the territorial issues could be resolved? And why did he bar Jews?"

Faisal, Waxman recalled, said he had no quarrel with Jews; he was, however, anti-Zionist.

"He said, 'No, there can't be an Israel; it has to be Palestine. It can't be a Jewish country; Jews can live there, but it's got to be an Arab country,' " Waxman said. "It was remarkable for the members on the committee to hear that."

At that point, Faisal wanted to turn away, but Waxman — a dogged questioner even as a new Congressman — insisted the king explain Saudi Arabia's "No Jews Allowed" policy.

"He said, 'Friends of our enemies are our enemies,' " Waxman said, laughing at how quickly the king's distinction between anti-Zionism and anti-Semitism fell apart. "So that was a good introduction."

Even after 40 years, Waxman views the Arab leaders of Middle Eastern nations as being as unwilling as ever to accept the presence of a Jewish state in their midst. Not too long after Bashar al-Assad assumed the Syrian presidency in 2000, Waxman once again asked about Israel and the Jews.

"He got angry and said, 'No, we are not anti-Semitic; we have Jews here, we like our Jews here, but it can't be a Jewish country,' " Waxman recalled. "So all those years, it didn't make any difference. It just re-emphasized for me that the basic problem for Israel is the unwillingness of a large part of the Arab population to live with a Jewish country, the State of Israel."

Waxman said he believes the United States needs to continue to maintain and project its military strength.

"There's a tremendous reluctance by President Obama to be involved — and I certainly share it — in Egypt and Syria and other areas that are undergoing dramatic changes, and civil wars even," Waxman said. "But we've got to figure out ways where we can be helpful and not expect that things are going to get resolved without our being part of

solutions."

As for Israel's continued security, Waxman said the most urgent matter is to ensure that Iran does not obtain a nuclear weapon. He believes the present agreement — which freezes Iranian nuclear enrichment for six months until a permanent agreement can be reached — does not go far enough, and that the purpose of international sanctions has always been to prevent Iran from having even the capability of developing a nuclear bomb.

"I am afraid the [Obama] administration has already signaled that they will live with Iran not having a bomb, but still allow enrichment of uranium, which can make a bomb possible," Waxman said.

"I fear such an agreement is naive," he added.

"You couldn't do that stuff today"

For all that hasn't changed over the last 40 years, some aspects of the U.S. political landscape are radically different from what they were in 1975, or even 2005. Waxman said he is "exasperated by the extremism of the Tea Party Republicans," although he expressed some hope that more moderate Republicans might be elected and regain control of the GOP.

And though Waxman said he has continued to have some opportunities recently to craft legislation, even as a member of the minority, the reach of that bipartisanship seems to pale in comparison to the landscape in 1984, when Waxman and Sen. Orrin Hatch (R – Utah) passed legislation easing restrictions on generic drugs in the U.S. market — thereby saving families $1 trillion over just the last decade.

"Henry was the go-to member of Congress on health care and on the environment," said Mel Levine, who served as a congressman from 1983 to '93, working closely with Waxman. "He was highly respected across the board, on both sides of the aisle, in both the House and the Senate. He was just uniquely capable of accomplishing big things, in a very kind of low-key manner, ironically."

Rep. Henry Waxman, D-Calif., left, gestures towards Committee on House Oversight chairman Rep. Dan Burton, R-Ind., during a committee hearing in 1998. The committee voted 24-19 along party lines, which is short of the two-thirds required, to grant immunity to four potential witnesses in exchange for testimony about 1996 Clinton-Gore campaign fund-raising practices. Photo via Newscom

At key points in his career, however, Waxman flouted the status quo and broke with the accepted rules — and got results. By raising large sums of money and distributing it to colleagues, Waxman was able to advance to ever more powerful posts in Congress. At the beginning of his third term, in 1978, he was able to take on leadership of the Health and Environment Subcommittee, the position that allowed him to achieve the far-reaching amendments to the Clean Air Act passed in 1990. In 2008, Waxman again bucked the seniority system and ousted Rep. John Dingell (D – Mich.) to become chair of the Energy and Commerce Committee.

Many in Congress have since followed this and other practices

pioneered by Waxman, as have many aspiring to public office. The targeted mail techniques developed by political consultant Michael Berman — Howard Berman's brother, whose creative reapportionment helped bolster the power of the so-called Waxman-Berman machine — have been adopted and improved upon in recent decades.

But for longtime friend Weiner, the way Waxman first got elected to the Assembly back in 1968 — relying mostly on volunteers, running a campaign on a shoestring and shoe leather — is a relic from a time long gone.

"You couldn't do that stuff today. Look what Henry was up against two years ago — a guy who put up $7.5 or $8 million dollars," Weiner said, referring to opponent Bill Bloomfield, an independent and former Republican who came within eight points of Waxman in 2012. "And also, the club movement is basically dead. So whom do you get? Either private wealth or someone who was an aide."

"I hope that I can be a model for others"

For the next 10 months, voters in the 33rd district will be represented by Waxman, who'll be filling a role that some had thought he'd never occupy — that of lame duck.

"I was numb," Howard Welinsky, president of the Los Angeles chapter of Democrats for Israel, said, describing his reaction to Waxman's announcement. "I expected him to stay in Congress for a long time to come. I was numb, and then I was virtually in tears."

Waxman, for his part, said he's content to leave now, and explained his decision as driven by concerns that are as much biological as political.

"If I stayed longer, it would be, do we get the House back? Maybe not — then we're still in the minority," Waxman said. "Then I'd wait until the presidential election in 2016, with the hopes that we get the majority back and still have a Democratic president to get things done. And my biological clock is ticking, so I would be here forever, to the end. And that's not what I wanted."

As Waxman watches the growing crowd of Democrats put their names in the hopper for the coastal district he represents, the 74-year-old will be considering his legacy. Some of that will be in the form of his public policy contributions — which he said are driven by essentially Jewish values of protecting the stranger and coming to the aid of the disadvantaged.

But at other times, Waxman may be thinking about his own accomplishments as a different kind of Jewish, or American value: the kind embodied by one individual, the kind that gets passed down in stories from generation to generation.

One of Waxman's Jewish role models was in his own family. His uncle, Al Waxman, published two (now-defunct) Los Angeles newspapers, the East Side Journal and the L.A. Reporter. During World War II, Waxman said Al was "the only editor or publisher in the country that fought against the relocation camps for Japanese-Americans."

"I think you have to follow examples that have been set by others, that you can admire," Waxman said. "And I hope that I can be a model for others who would chart their careers in public office."